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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

NICK MAKREAS,

Plaintiff,

v.

FIRST NATIONAL BANK OF NORTHERN

CALIFORNIA, a business entity; T.D.

SERVICE COMPANY, form unknown;

KATHY CASTOR;, an individual; RANDY

BRUGONI, an individual; COUNTY OF SAN

MATEO; SAN MATEO COUNTY

SHERIFF'S OFFICE; SAN MATEO

COUNTY SHERIFF GREG MUNKS, in his

individual and official capacity; SAN MATEO

COUNTY SHERIFF'S DEPUTY STEPHEN

DUVALL; SAN MATEO COUNTY

SHERIFF'S DEPUTY HOSS, in his individual

and official capacity; SAN MATEO COUNTY

SHERIFF'S DEPUTY VALENICA, in his

individual and official capacity; Employees 1

through 25 inclusive; and DOES 26-50;

Defendants.

) **Case No: CV11-02234-JSW**

) **STIPULATION AND AGREEMENT TO**  
) **TOLL STATUTE OF LIMITATIONS**  
) **AGAINST THE COUNTY OF SAN**  
) **MATEO; SAN MATEO COUNTY**  
) **SHERIFF'S OFFICE; SAN MATEO**  
) **COUNTY SHERIFF GREG MUNKS; SAN**  
) **MATEO COUNTY SHERIFF'S DEPUTY**  
) **STEPHEN DUVALL; SAN MATEO**  
) **COUNTY SHERIFF'S DEPUTY HOSS;**  
) **and SAN MATEO COUNTY SHERIFF'S**  
) **DEPUTY VALENCIA WITHOUT**  
) **PREJUDICE AND ~~{PROPOSED}~~ ORDER**  
) **THEREON**

1 WHEREAS on September 28, 2011, the signatories stipulated and agreed that any of  
 2 statute of limitations governing any claim by plaintiff Nick Makreas against the County of San  
 3 Mateo, the San Mateo County Sheriff's Department, and San Mateo County Sheriff Greg  
 4 Munks; San Mateo County Sheriff's Deputy Stephen Duvall; San Mateo County Sheriff's  
 5 Deputy Hoss; and San Mateo County Sheriff's Deputy Valencia would be tolled for a period of  
 6 six months from the date of the Court's order approving said stipulation;

7 WHEREAS, on September 29, 2011, the Court issued its Order approving said  
 8 stipulation and dismissing the defendants without prejudice, and tolled any statute of limitations  
 9 for a period of six months beyond the date of its order, which is March 29, 2012;

10 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES HERETO THROUGH  
 11 THEIR UNDERSIGNED COUNSEL:

12 Any statute of limitations governing any claim against defendants County of San Mateo;  
 13 San Mateo County Sheriff's Office; San Mateo County Sheriff Greg Munks; San Mateo County  
 14 Sheriff's Deputy Stephen Duvall; San Mateo County Sheriff's Deputy Hoss; and San Mateo  
 15 County Sheriff's Deputy Valencia shall be tolled for an additional period from February 1, 2012  
 16 until September 29, 2012.

17  
 18 Dated: February 1, 2012

19 /s/ Nelson W. Goodell  
 20 NELSON W. GOODELL  
 21 The Goodell Law Firm  
 22 Attorney for Plaintiff, Nick Makreas

23 Dated: February 2, 2012

24 /s/ Eugene Whitlock  
 25 EUGENE WHITLOCK  
 26 San Mateo County Counsel's Office  
 27 Attorney for Defendants, County of San Mateo;  
 28 San Mateo County Sheriff's Office; San Mateo  
 County Sheriff Greg Munks; and San Mateo  
 County Sheriff's Deputy Stephen Duvall; San  
 Mateo County Sheriff's Deputy Stephen Valencia

**ORDER**

IT IS HEREBY ORDERED THAT any statute of limitations governing any claim that the plaintiff NICK MAKREAS has against defendants County of San Mateo; San Mateo County Sheriff's Office; San Mateo County Sheriff Greg Munks; San Mateo County Sheriff's Deputy Stephen Duvall; San Mateo County Sheriff's Deputy Hoss; and San Mateo County Sheriff's Deputy Valencia shall be tolled for an additional six month period beyond the date that the current stipulation is set to expire, March 29, 2012, and will end on September 29, 2012.

Dated: Dated: February 7, 2012

  
THE HON. JEFFREY S. WHITE